

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

LR No.: 4429-01
Bill No.: SB 1268
Subject: Counties: Right-of-Way Management, Fees
Type: Original
Date: March 2, 2004

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 4 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials of the **Department of Transportation** assume no fiscal impact.

Officials of the **Jasper County Commission** stated this proposal would be positive in that it would allow counties to recoup right-of- way management costs.

Counties not responding are: **Clay, Cass, Boone, Cole, Callaway, Cape Girardeau, Greene, Franklin, and Platte Counties, and the St. Louis County Executive, and Jackson County Executive.**

<u>FISCAL IMPACT - State Government</u>	FY 2005 (10 Mo.)	FY 2006	FY 2007
	\$0	\$0	\$0

FISCAL IMPACT - Local Government

FY 2005
(10 Mo.)

FY 2006

FY 2007

**FIRST CLASS COUNTIES SPECIAL
ROAD AND BRIDGE FUND**

Income to County Special Road Fund
from new way of determining permit fees

Unknown

Unknown

Unknown

Cost to County Special Road Fund
right- of-way management costs.

(Unknown)

(Unknown)

(Unknown)

**ESTIMATED NET EFFECT TO
LOCAL GOVERNMENT ***

\$0

\$0

\$0

*** Oversight assumes the special permit fee must be proportionate and based on all costs reasonably incurred by the county in managing the public right-of-way. Oversight assumes cost would not exceed income.**

FISCAL IMPACT - Small Business

Small businesses that use county right-of way would be expected as a result of this proposal to pay a proportionate share of the county's management cost of their right-of-way rather than a three dollar permit fee.

DESCRIPTION

Under current law, a county may collect a fee, not to exceed \$3, for a special use permit. This act allows the fees to be based upon all cost reasonably incurred by the county in managing the public right-of-way. The act also allows the permit fee to be based upon, when appropriate, an allocation among all users of the public-right-way. The fee shall reflect the proportionate costs imposed on the county by each of the various types of uses of the public rights-of-way. Nothing shall prevent a county from imposing different or new fees on public utility right-of-way users so long as the fee is consistent with federal and state law. The fees must also be imposed on a nondiscriminatory basis.

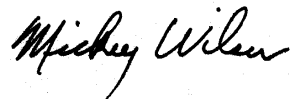
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Transportation
Jasper County Commission

NOT RESPONDING

Boone County Commission
Clay County Commission
Cole County Commission
Callaway County Commission
Cape Girardeau County Commission
Greene County Commission
Franklin County Commission
Platte County Commission
St. Louis County Executive
Jackson County Executive



Mickey Wilson, CPA
Director
March 2, 2004